

FEB 03 2021

To: The Bigfork Land Use Advisory Committee
c/o Flathead County Planning and Zoning Dept.
40 11th Street West, Suite 220
Kalispell, MT 59901

February 2, 2021

Dear BLUAC Members:

I want to express appreciation for the conduct and proceedings of your meeting January 28th in which you heard public comment for two zone change requests. I thought your deliberations were thorough and your decisions for both applications were reasoned and well-founded.

I was on the County Planning Board for a decade, representing the Canyon area. This meeting revived many memories of being on your side of the table. Reflecting on my experiences back then, and observing your proceedings certainly brought in focus how the ability of such volunteer boards to formulate and forward sound advice is so dependent on the planning office's thorough diligence and competence in presenting a board with well-researched and circumspect reviews and findings. When a Board's review of an application is founded on formulaic, superficial, and even amateurish "findings of fact", as yours were, having to then reject/replace/rewrite them by committee is awkward and can be embarrassing.

If, at the conclusion of that meeting, you felt some irritation and disservice at the minimalist, cookie-cutter 'findings of fact' that you were given by a professional planning staff, this letter won't interest you much. If, on the other hand, you felt that you were provided a shallow, under-thought, -- 'how can we find a way to say yes?' --- report, findings, and recommended action, then please continue.

In both these cases, the staff reports were written to 'coach' you toward a kind of rubber-stamp action. I hope this wasn't routine. Early on, someone in the office had to have signaled the applicant that their quest had merit, that there is a process, that their chance of success was good, and then the staff went through the statutory check-offs and wrote 'findings' to guide you that the applicant's 'remedy' was good public policy and conformed to the statutory purposes of zoning.

For example, application FZC-20-17 actually advocated that the solution to the problem of an owner keeping large animals on a one-acre lot in violation of its zoning *should be solved*, not by boarding the animals somewhere else, or not by the applicant relocating to an area where such things are compatible, but by *amending the county zoning map so that different rules could then absolve the violation*. That is astounding. What an idea going forward! When there's any violation, the county can just re-zone the offender and make the offense confirming! It will solve any issue!

What that tells me about the state of planning and zoning in Flathead County is appalling. The staff's response to your question about how this was not 'spot zoning' (benefitting one owner at the expense of others) was disingenuous. No wonder Flathead County loses most of its planning lawsuits. The community was well-served Thursday when adjoining homeowners' concerns were heard, and when you as individuals brought up such things as: read zoning regulations *before* you buy property, animal poop, (read: stinks and flies that ignore property lines) and responsible animal husbandry. Your findings were sound. The fact you had to rewrite the findings of fact put forth by our (your) professional planning staff to justify your findings was outrageous.

Neighborhood advisory planning committees are a very good thing. Thank you very much for serving us. But you deserve far more thought and professional guidance from the FCPZ staff than you were provided in that evening's applications. I hope you will take up this issue with them and insist going forward that the quality of these staff reports has nowhere to go but up. FCPZ should not be the mindless department of rubber stamps for zone change requests.

Sincerely,



William Dakin
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Bigfork, Mt. 59911

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Att: copy, comment letter to FCPZ /Flathead County Planning Board re Echo Lake Zoning District zone change.

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